

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
JOHNSTOWN DIVISION**

JAMEICE NASH,	)	
	)	
Petitioner,	)	Civil Action No. 3:23-cv-00292
	)	
vs.	)	United States District Judge
	)	Stephanie L. Haines
SUPERINTENDENT KLINEFELTER,	)	
U.S. IMMIGRATION & CUSTOMS	)	
ENFORCEMENT, and ATT. GENERAL,	)	
	)	
Respondents.	)	

**MEMORANDUM OPINION ADOPTING REPORT AND RECOMMENDATION**

Petitioner, Jameice Nash, initiated this action on November 29, 2023, by filing a pro se “Motion for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 And A Stay In The Removal Order.” (ECF No. 1). The action was referred to a Magistrate Judge for the making of reports and recommendations. The Magistrate Judge has issued a Report and Recommendation ("R&R"), ECF No. 13, recommending that the action be dismissed with prejudice for lack of jurisdiction. The R&R sets forth in detail the factual and procedural history, including Petitioner’s state court criminal proceedings, his immigration proceedings, and his proceedings in federal court involving his petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 filed in the United States District Court for the Eastern District of Pennsylvania.<sup>1</sup>

Petitioner was served with the R&R at his listed address of record and was advised that he had until April 8, 2024, to file written objections to the R&R. Petitioner has not filed any

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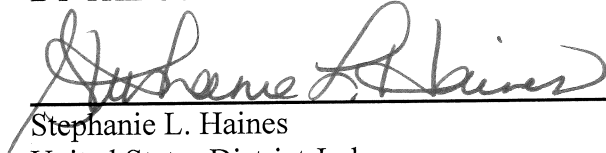
<sup>1</sup> The Court notes that since the issuance of the R&R, the United States Court of Appeals for the Third Circuit has granted a certificate of appealability in his § 2254 case. *See* CTA3 Case Number 23-3018. That development, however, has no bearing on this action.

objections and the time to do so has expired. If a party does not file timely objections to a magistrate judge's report and recommendation, the party may lose its right to de novo review by the district court, although the court must still give "reasoned consideration" to the magistrate judge's report before adopting it. *See EEOC v. City of Long Branch*, 866 F.3d 93, 100 (3d Cir. 1987).

The Court has carefully reviewed the matter and concludes upon that review that the R&R correctly analyzes the issues and makes a sound recommendation. Accordingly, after a review of the record and the R&R under the applicable "reasoned consideration" standard, the Court will accept in whole the findings and recommendations of the Magistrate Judge. The Court therefore adopts the R&R as the Opinion of the Court, and will enter an Order dismissing the action with prejudice for lack of jurisdiction. An appropriate Order follows.

Dated: January 2, 2025

BY THE COURT:

  
Stephanie L. Haines  
United States District Judge

cc: JAMEICE NASH  
NC-1929  
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P.O. Box 1000  
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Houtzdale, PA 16698-1000  
(via U.S. First Class Mail)

Douglas Baker  
DOJ-USOA  
(via ECF electronic notification)